

IN RE: PETITION FOR ADMIN. VARIANCE
SE/S Long Green Pike, 283'S of
Long Green Road
(12518 Long Green Pike)
11th Election District
6th Councilmanic District

Craig A. Rezac, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-170-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 12518 Long Green Pike, located in the vicinity of Long Green Road in Glen Arm. The Petition was filed by the owners of the property, Craig A. and Sandra B. Rezac, through the administrative variance process which permits review and consideration without a public hearing. However, at the request of an adjoining property owner, Elbert J. Thornhill, Jr., the matter was scheduled for a public hearing to determine the appropriateness of the relief requested. Specifically, the Petitioners seek relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet; and from Section 500.6 of the B.C.Z.R., Section 517.2 of the Building Code, and Sections 26-276, 26-670 and 26-172(a)(3) of the Baltimore County Code, to permit the replacement of an existing accessory structure in a riverine floodplain. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Craig and Sandra Rezac, property owners. There were no Protestants or other interested persons present.

MICROFILMED

ORDER RECEIVED FOR FILING
Date 12/6/96
By [Signature]

Testimony and evidence presented revealed that the subject property consists of 2.8073 acres, more or less, zoned R.C.2 and is improved with a two and one-half story dwelling, a one and one-half story building, and a two-story barn, which is over 70 years old. The existing dwelling and two-story barn are located within a 100-year flood plain which traverses the property and comprises approximately 1.7639 acres of the overall site. Testimony revealed that this barn was damaged during a storm last winter when the roof collapsed and caused the building to shift on its foundation. The Petitioners testified that the entire barn is now in danger of collapsing and they wish to remove the structure and replace it with a new barn in the same location. Testimony revealed that the existing barn floor is only 0.8 feet below the floodplain elevation of 294.0 feet. The Petitioners believe that they can raise the new barn floor without extensive grading within the floodplain. However, the new barn will be approximately 3.5 feet taller than the existing barn. Testimony indicated that there is no other place on their property to reconstruct this barn in that approximately 60% of the remaining property is restricted from building or grading due to the topography of the land and steep slopes. Furthermore, the Petitioners are concerned that they may need to retain some of that remaining property for a new septic system in the event the existing septic system, which is also located in the floodplain, should fail.

As noted above, there were no Protestants at the hearing, however, a request for public hearing was filed by the adjoining property owner, Elbert J. Thornhill, Jr. Prior to the public hearing taking place in this matter, the Petitioners met with Mr. Thornhill to discuss his concerns. By letter dated November 15, 1996, which was marked into evidence as Petitioner's Exhibit 2, Mr. Thornhill advised this office that his concerns

had been addressed and that he no longer objected to the variance. The Petitioners have assured Mr. Thornhill that the proposed structure will be compatible with the surrounding community.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare and is in strict harmony with the spirit and intent of the B.C.Z.R.

ORDER RECEIVED FOR FILING

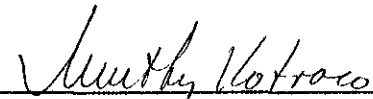
Date

By

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of December, 1996 that the Petition for Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 24 feet in lieu of the maximum permitted 15 feet; and from Section 500.6 of the B.C.Z.R., Section 517.2 of the Building Code, and Sections 26-276, 26-670 and 26-172(a)(3) of the Baltimore County Code, to permit the replacement of an existing accessory structure in a riverine floodplain, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
12/6/96
[Handwritten initials]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 6, 1996

Mr. & Mrs. Craig A. Rezac
12518 Long Green Pike
Glen Arm, Maryland 21057

RE: PETITION FOR ADMINISTRATIVE VARIANCE
SE/S Long Green Pike, 283'S of Long Green Road
(12518 Long Green Pike)
11th Election District _6th Councilmanic District
Craig A. Rezac, et ux- Petitioners
Case No. 97-170-A

Dear Mr. & Mrs. Rezac:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Elbert J. Thornhill, Jr.
12512 Long Green Pike, Glen Arm, Md. 21057-9710

People's Counsel

✓ File

MICROFILMED



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 12518 LONG GREEN PIKE

which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3; ~~TO PERMIT AN ACCESSORY STRUCTURE WITH A HEIGHT OF 24' IN LIEU OF THE PERMITTED 15'~~ AND RELIEF FROM SECTIONS 500.6; BCZR; 517.2, BUILDING CODE, AND SECTIONS 26-276, 26-670, 26-172(a)(3), BALTO. Co. CODE, TO PERMIT THE REPLACEMENT OF AN ACCESSORY STRUCTURE IN A RIVERINE FLOODPLAIN. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

SEE REVERSE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee.

Legal Owner(s):

(Type or Print Name)

(Type or Print Name)

Signature

Signature

Address

(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner

(Type or Print Name)

Address

Phone No.

Signature

City

State

Zipcode

Address

Phone No.

Name

City

State

Zipcode

Address

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

MICROFILMED

Zoning Commissioner of Baltimore County

REVIEWED BY: JM

DATE: 10-10-96

ESTIMATED POSTING DATE: 10-20-96

Printed with Soybean Ink
on Recycled Paper

ITEM #: 170

ORDER RECEIVED FOR FILING
Date: 10/11/96
By: [Signature]

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 12518 LONG GREEN PIKE
address
GLEN ARM, MARYLAND 21057
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

SEE ATTACHED.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

CRAIG A. REZAC
(signature)
(type or print name)



SANDRA B. REZAC
(signature)
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 9th day of October, 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

CRAIG A. REZAC & SANDRA B. REZAC

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

10-09-96
date

Deena Mullen Dett
NOTARY PUBLIC

My Commission Expires: 8/29/99

Attachment to affidavit in support of Administrative Variance

12518 Long Green Pike
Glen Arm, Maryland 21057

That based upon personal knowledge, the following are the facts upon which we based the request for an Administrative Variance at the above address:

The existing barn that we are proposing to replace on our property was damaged in a storm on January 15, 1996 when the roof collapsed, and caused the barn to shift on its foundation. The entire barn is now in danger of collapsing. We are proposing to tear down the existing structure, and replace it in its current position shown on our site plan. As indicated on the site plan, approximately 95% of the barn is located within the 100 year flood plain. The barn is in excess of 70 years old and there is no other place to construct it on our property. Approximately 1.7639 acres, or 63% of our property is located within the floodplain. The remaining 1.0433 acres contains our dwelling, garage, driveway, and well. Approximately 60% of the area not in the floodplain is restricted from building or grading due to the severity of the topography (steep slopes). Furthermore we need to set aside part of this area for future use as a septic area in case our existing septic system would fail and have to be replaced. The existing barn floor is only 0.8 of a foot below the floodplain elevation of 294.0 feet. We believe that we could raise the floor for the new barn without excessive grading within the floodplain. The new barn would be approximately 3.5 feet taller than the old barn.

We believe that replacing the barn within its current location is the only practical solution to our problem. This would cause the least amount of grading on our property, eliminate the potential danger of physical harm to ourselves, our children, or any visitors to our home caused by the collapse of the existing structure; restore our property to its original condition, thereby preserving the economic value to our property; and remove an eyesore from the community.

[Signature] 10/9/96
Sandra S. Regg 10/9/96

October 9, 1996
Sandra S. Regg
Notary Public
My Commission expires 8/29/99

NO

ORDER RECEIVED FOR FILING
Date 12/6/96
By [Signature]

MICROFILMED

J. FINLEY RANSONE & ASSOCIATES

Land Surveying

Engineering

Real Estate Development

Construction Management

September 26, 1996

MO

Zoning Description

**Rezak Property
No. 12518 Long Green Pike**

ALL that piece or parcel of land situate, lying, and being in the Eleventh Election District, and Sixth Councilmanic District of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at a point in or near the southeasterly side of the Long Green Pike; said point being distant southwesterly, measured along the center of Long Green Pike, 283 feet from the intersection formed by the center Long Green Road with the center of Long Green Pike; thence binding on the outlines of the property of the petitioners herein, the eight following courses and distances viz:

- 1.) binding in the bed of Long Green Pike; South 15 degrees 55 minutes West, 181.50 feet, thence leaving said Pike and continuing to bind on the outlines of the property of the petitioners;
- 2.) North 86 degrees 25 minutes West, 207.27 feet, to a point in the center of an abandoned railroad right of way; thence binding in the center of said right of way;
- 3.) North 11 degrees 37 minutes West, 117.08 feet, thence;
- 4.) North 14 degrees 17 minutes West, 165.70 feet, thence;
- 5.) North 15 degrees 36 minutes West, 251.20 feet to a point in the center of Long Green Road, thence binding in the center of said road;
- 6.) South 81 degrees 35 minutes East, 148.85 feet, thence leaving said road;
- 7.) South 45 degrees 35 minutes East, 198 feet, and thence;
- 8.) South 27 degrees 05 minutes East, 219.45 feet to the place of beginning.

THE IMPROVEMENTS thereon being known as No. 12518 Long Green Pike.

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NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the proposed rezoning of the property identified herein in Room 116 of the County Office Building, 111 W. Chase Avenue, Towson, Maryland 21204, on Monday, November 11, 1996 at 10:00 a.m. in Room 118, Old Courthouse, 118 Westinghouse Avenue, Towson, Maryland 21204. The following:

Case: #97-170-A

(Item 170)

12518 Long Green Pike
SE/S Long Green Pike, 203'
+/- from intersection Long
Green Pike and Long Green
Road

11th Election District

6th Councilmanic

Legal Owner(s):

Craig A. Razzac and Sandra B. Razzac

Variance: To permit an accessory structure with a height of 24 feet in lieu of the permitted 15 feet and to permit the replacement of an accessory structure in a marine flood plain.

Hearing: Monday, December 2, 1996 at 10:00 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call 887-3353.

(2) For information concerning the file and/or hearing, please call 887-3351.

11/15/97 Nov. 14

0396463

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

Nov 14, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on Nov 14, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

170

No.

027901

DATE 10-10-96 ACCOUNT Rec-6150

AMOUNT

\$ 50.00

RECEIVED
FROM:

CRAIG REZAR

12518

Long

Green

PK.

AD. VAR.

SD.

FOR:

03A91ND239MICHRC

BA C008157AN10-10-96

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

027970

DATE 25 Oct 96 ACCOUNT R-001-6150

AMOUNT

\$ 40.00

RECEIVED
FROM:

Elbert Thornhill

FOR:

Request 47-170-1

hearing

03A91ND239MICHRC

BA C008157AN10-10-96

VALIDATION OR SIGNATURE OF CASHIER

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

MICROFILMED

REQUEST FOR HEARING

TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY:

Re: Case Number: 97-170-A

Petitioner(s): _____

Location: _____

X I/WE, ELBERT J Thornhill
Name(s) (TYPE OR PRINT)

(X) Legal Owners () Residents, of

X 12512 Long Green Pike
Address

X GLEN ARM, MD 21057 592-8749
City/State/Zip Code Phone

X which is located approximately 0 feet from the
property which is the subject of the above petition, do hereby formally
request that a public hearing be set in this matter.

X Elbert J Thornhill Jr. 10/25/96
Signature Date

X _____
Signature Date

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 170

Petitioner: CRAIG REZAC

Location: 12518 LONG GREEN PK. GLEN ARM., MD. 21057

PLEASE FORWARD ADVERTISING BILL TO:

NAME: SPME

ADDRESS: _____

PHONE NUMBER: (410) 717-225-8208
(410) 592-8899

AJ:ggs

(Revised 09/24/96)

MICROFILMED

ZONING NOTICE

ADMINISTRATIVE

VARIANCE

CASE # 17-170-A

TO PERMIT AN ACCESSORY
SERVING WITH A HEIGHT OF 24
INSTEAD OF THE PERMITTED 20
AND TO PERMIT THE SUBMIT
STRUCTURE TO BE A FINESTINE FLOOR
ZONE

PUBLIC HEARING ?

PURSUANT TO SECTION 24-1270(h)(1), BALTIMORE COUNTY CODE
AN ELIGIBLE INDIVIDUAL OR GROUP MAY
REQUEST A PUBLIC HEARING CONCERNING
THE PROPOSED VARIANCE, PROVIDED IT
IS DONE IN THE ZONING OFFICE BEFORE
4:30 P.M. ON 11-9-17

ADDITIONAL INFORMATION IS AVAILABLE AT
ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT
110 W. BALTIMORE AVE.
BALTIMORE, MD 21201
TEL. 837-3381

FOR MORE INFORMATION, VISIT OUR WEBSITE AT www.baltimorecountymd.gov
BALTIMORE COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT

CERTIFICATE OF POSTINGRE: Case No.: 97-170.A

Petitioner/Developer: _____

Graig RezacDate of Hearing/Closing: 11-4-96

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at 12518 Long Green Pike

The sign(s) were posted on 10 18 96
(Month, Day, Year)

Sincerely,

[Signature] 10.21.96
(Signature of Sign Poster and Date)

DON BAUM
(Printed Name)

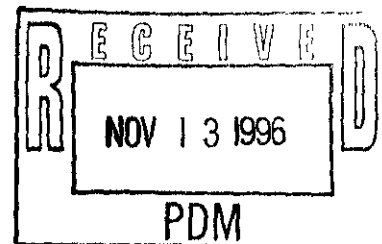
105 Competitive Goals
(Address)

Eldersburg MD 21784
(City, State, Zip Code)

410 781 4000
(Telephone Number)

9/96
cert.doc

MICROFILMED



Request for Zoning: Administrative Variance

Date to be Posted: Anytime before but no later than 10-20-96

Format for Sign Printing, Black Letters on a White Background:

ZONING NOTICE

ADMINISTRATIVE VARIANCE

Case No.: 97-170-A

TO PERMIT AN ACCESSORY STRUCTURE WITH A HEIGHT
of 24' IN LIEU of the PERMITTED 15', AND PERMISSION TO PLACE
THE SUBJECT STRUCTURE IN A RIVERINE FLOOD ZONE.

PUBLIC HEARING ?

**PURSUANT TO SECTION 26-127(b) (1), BALTIMORE COUNTY CODE,
AN ELIGIBLE INDIVIDUAL OR GROUP MAY REQUEST A PUBLIC HEARING
CONCERNING THE PROPOSED VARIANCE, PROVIDED THE REQUEST IS
RECEIVED IN THE ZONING REVIEW BUREAU BEFORE 5:00 P.M. ON**

11-4-96
ADDITIONAL INFORMATION IS AVAILABLE AT THE DEPARTMENT OF
PERMITS AND DEVELOPMENT MANAGEMENT, COUNTY OFFICE BUILDING,
111 WEST CHESAPEAKE AVE., TOWSON, MD 21204, (410) 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL AFTER ABOVE DATE UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
November 14, 1996 Issue - Jeffersonian

Please forward billing to:

Craig and Sandra Rezac
12518 Long Green Pike
Glen Arm, MD 21057
592-8899

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-170-A (Item 170)
12518 Long Green Pike
SE/S Long Green Pike, 283' +/- from intersection Long Green Pike and Long Green Road
11th Election District - 6th Councilmanic
Legal Owner(s): Craig A. Rezac and Sandra B. Rezac

Variance to permit an accessory structure with a height of 24 feet in lieu of the permitted 15 feet and to permit the replacement of an accessory structure in a riverine floodplain.

HEARING: MONDAY, DECEMBER 2, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 8, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-170-A (Item 170)

12518 Long Green Pike

SE/S Long Green Pike, 283' +/- from intersection Long Green Pike and Long Green Road

11th Election District - 6th Councilmanic

Legal Owner(s): Craig A. Rezac and Sandra B. Rezac

Variance to permit an accessory structure with a height of 24 feet in lieu of the permitted 15 feet and to permit the replacement of an accessory structure in a riverine floodplain.

HEARING: MONDAY, DECEMBER 2, 1996 at 10:00 a.m. in Room 118, Old Courthouse.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Craig and Sandra Rezac
Elbert Thornhill

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN ALTERED TO REFLECT HEARING DATE BY NOVEMBER 17, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 16, 1996

ABOUT YOUR ADMINISTRATIVE VARIANCE

CASE NUMBER: 97-170-A (Item 170)

12518 Long Green Pike

SE/S Long Green Pike, 283' +/- from intersection Long Green Pike and Long Green Road

11th Election District - 6th Councilmanic

Legal Owner(s): Craig A. Rezac and Sandra E. Rezac

Post by Date: 10/20/96

Closing Date: 11/04/96

Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice serves as a refresher regarding the administrative process.

- 1) The Zoning Notice sign must be visible on the property under petition on or before the "Post by Date" noted above. It should remain there until after the closing date.
- 2) The "Closing Date" noted above, is the deadline for a neighbor to file a formal request for a public hearing.
- 3) After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. He/She may (a) grant the requested relief, (b) deny the requested relief, or (c) Order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days) as to whether or not your petition has been granted, denied, or will go to public hearing.
- 4) In cases that must go to a public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), notification of same will be forwarded to you. The sign on the property must be changed giving notice of the hearing's date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign, must be forwarded to this office.

PLEASE UNDERSTAND THAT ON THE CLOSING DATE, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Craig and Sandra Rezac

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Craig Rezac
12518 Long Green Pike
Glen Arm, MD 21057

RE: Item No.: 170
Case No.: 97-170-A
Petitioner: Craig Rezac, et ux

Dear Mr. and Mrs. Rezac:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 10, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 25, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 October 28, 1996
 for Item 170

The Development Plans Review Division has reviewed the subject zoning item. Per the Baltimore County Development Regulations adopted February 1992, Section 26-276 "Floodplain and Wetland Protection": "No construction in or alteration of any floodplain may be permitted." It is the purpose of this section to reduce losses to life and property from flooding, to obviate the need for public expenditures for flood protection, and to protect or enhance the environmental quality of watersheds. The replacement of the existing building can occur as long as the footprint of the building does not increase. By law, the first floor elevation is to be two feet above the floodplain, but if it is for storage only, the same elevation is acceptable.

The rear of the buildings may not be constructed within 20 feet of the limits of the floodplain as established for a 100-year flood level with a 1 foot freeboard. See Plate D-19 in the Baltimore County Design Manual adopted 1983 and revised February, 1985.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the floodplain elevation in all construction.

RWB:HJO:jrb

cc: File

ZONE34E

UNRECORDED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
November 6, 1996

FROM: R. Bruce Seeley *[Signature]*
DEPRM

SUBJECT: Zoning Item #170 - Rezac Property
12518 Long Green Pike
Zoning Advisory Committee Meeting of October 21, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

The proposed structure is located within the 100-year floodplain which is protected under these Regulations; however, due to the slope constraints and location of other existing structures and driveway, no viable alternative exists for the proposed reconstruction of the barn outside of the floodplain. The least impact to the floodplain would occur by reconstructing the barn in its current location as the area is not functioning as a "true" floodplain (Long Green Pike splits the floodplain and the stream).

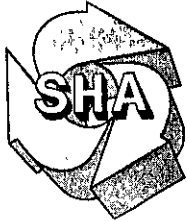
Agriculture Preservation Review

This property is too small to farm. What is the justification to rebuild the barn? We are inclined to oppose this variance due to the concern that use of property for agriculture may create a nuisance to neighbors, and potential soil and water quality problems from any agricultural use.

RBS:TI:WL:sp

REZAC/DEPRM/TXTSBP

[Handwritten signature]



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10-23-96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 170 (JCM)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: October 18, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning recommends that should the petition(s) be granted, a condition should be placed in the Order restricting the conversion of any accessory structure for dwelling purposes.

Item Nos. 139, 164 and 170)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/21/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 21, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167,
170, 171, 172, 173 and 174.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED

cc: File



Printed with Soybean Ink
on Recycled Paper

16m
Gwen

November 15, 1996

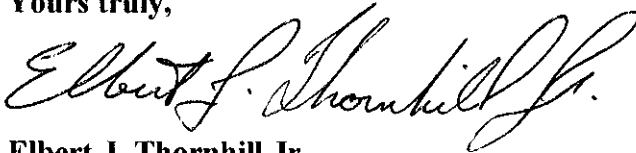
Development Processing
County Office Building
111 West Chesapeake Ave.
Towson, MD 21204

re: Case Number 97-170-A (Item 170)

Dear Sirs;

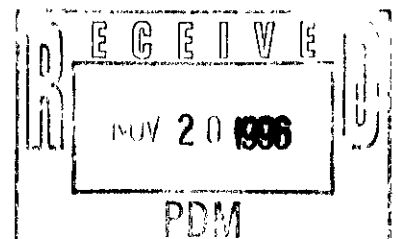
On Oct. 25, 1996 I entered a protest and a request to go to hearing on the Variance request by Craig and Sandra Rezac. In the interim there have been several discussions between the Rezac's and myself and feel the reasons for my concerns have been addressed. I have been assured the new building to be erected will benefit the area in looks and style. I hereby withdraw my objections to the issuance of the aforementioned Variance and need for a hearing.

Yours truly,



Elbert J. Thornhill Jr.
12512 Long Green Pike
Glen Arm, MD 21057-9710
410-592-8749

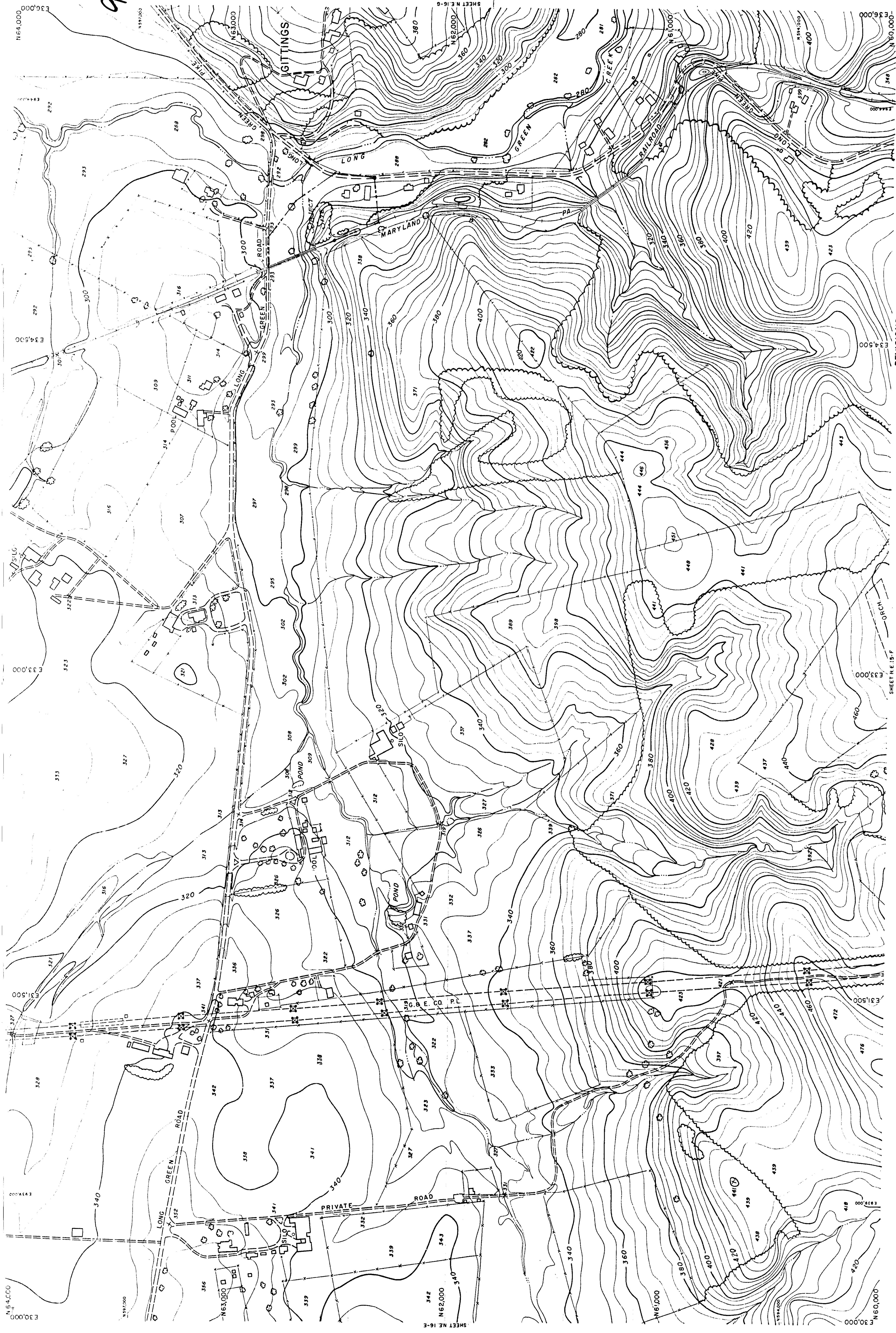
REZAC'S
2



RECEIVED

97-170-A

90



U - SE U - SW
R - NE Q - NW

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY, MARYLAND

REVISIONS BY DATE SCALE 1" = 200'

LOCATION GITTINGS

DATE OF PHOTOGRAPHY APRIL 1958

N. E.

16-F

MICROFILMED

Topography Compiled By Photogrammetric Methods
MAPS, INCORPORATED - BALTIMORE 22, MARYLAND

MICROFILMED

GENERAL NOTES:

1.) PROPERTY OWNERSHIP INFORMATION:

CRAIG A. & SANDRA B. REZAK
12518 LONG GREEN PIKE
GLEN ARM, MD 21057

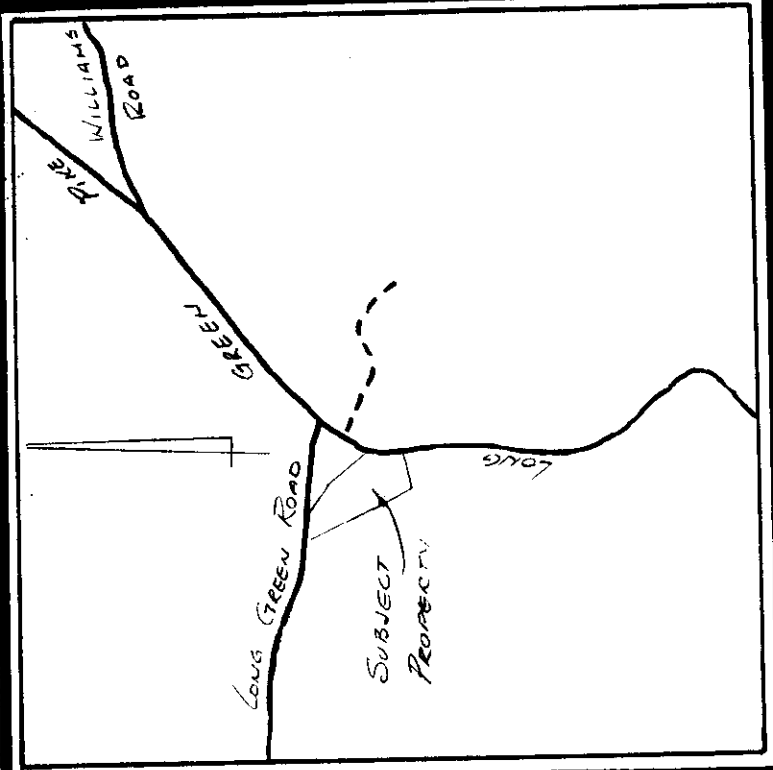
PHONE: (410) 592-8899
DEED REF: LIBER 7722 FOLIO 564
TAX ACC. NO: 1113024170
TAX MAP 53 PARCEL 310
AREA BY DEED: 2.8073 AC
SQUARE FT 122,286

2.) CURRENT ZONING RC-2

- 3.) THERE HAVE BEEN NO PRIOR ZONING HEARINGS ON THE SUBJECT PROPERTY.
- 4.) THE 100 YEAR FLOOD PLAIN DELINEATION WAS DETERMINED FROM FIELD SURVEY DATA AND INFORMATION OBTAINED FROM THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS.
- 5.) THERE ARE NO PUBLIC UTILITIES SERVING THIS SITE. THE PROPERTY IS SERVED BY PRIVATE WELL AND SEPTIC AS SHOWN.
- 6.) BALTIMORE COUNTY 200 SCALE MAPS: NE 16 F

ANNE MCADOO DEFORD
TAX MAP 54 PARCEL 1
8261 / 838
1104020600 & 1104020602

VICINITY MAP
SCALE: 1" = 1,000'



97-170-A

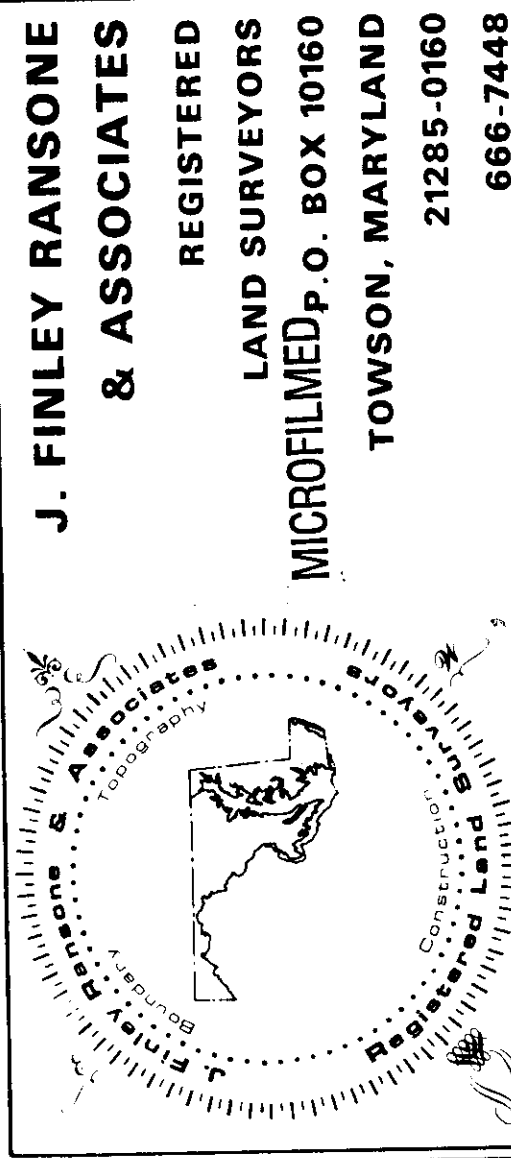
ALFRED & KATHERINE TYLER
TAX MAP 54 PARCEL 389
5823 / 176
1103087325

PLAT TO ACCOMPANY A
PETITION FOR ZONING VARIANCE
FOR THE PROPERTY OF
CRAIG A. REZAK & SANDRA B. REZAK
LOCATED AT
12518 LONG GREEN PIKE
GLEN ARM, MD. 21057

PETITIONER'S
DECLARATION

DATE: SEPTEMBER 11, 1998

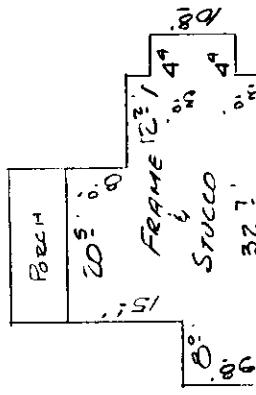
SCALE: 1" = 50'



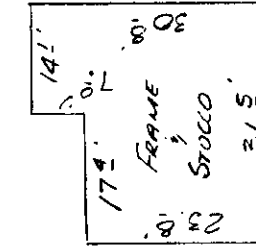
J # 9803-1053

F # 11B-112

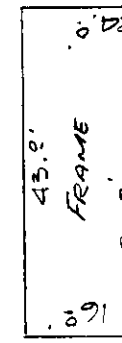
ON SITE BUILDING DETAILS
(N.T.S.)



EXISTING DWELLING
EXISTING W. ATTIC
FIRST FLOOR ELEV = 275.1
HEIGHT = 27' ABOVE GROUND

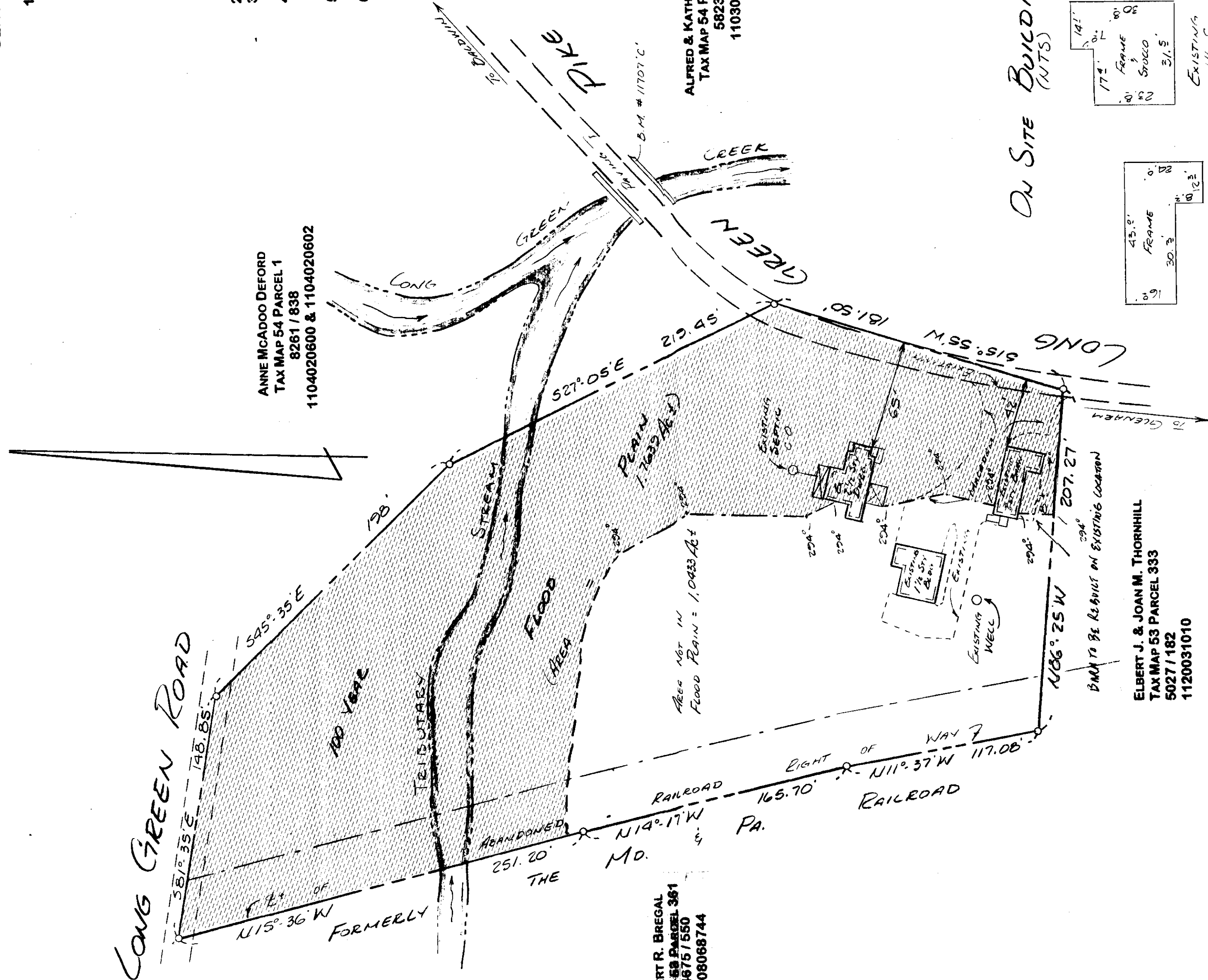


EXISTING 1 1/2 STY
GARAGE & OFFICE
HEIGHT = 22' ABOVE GROUND

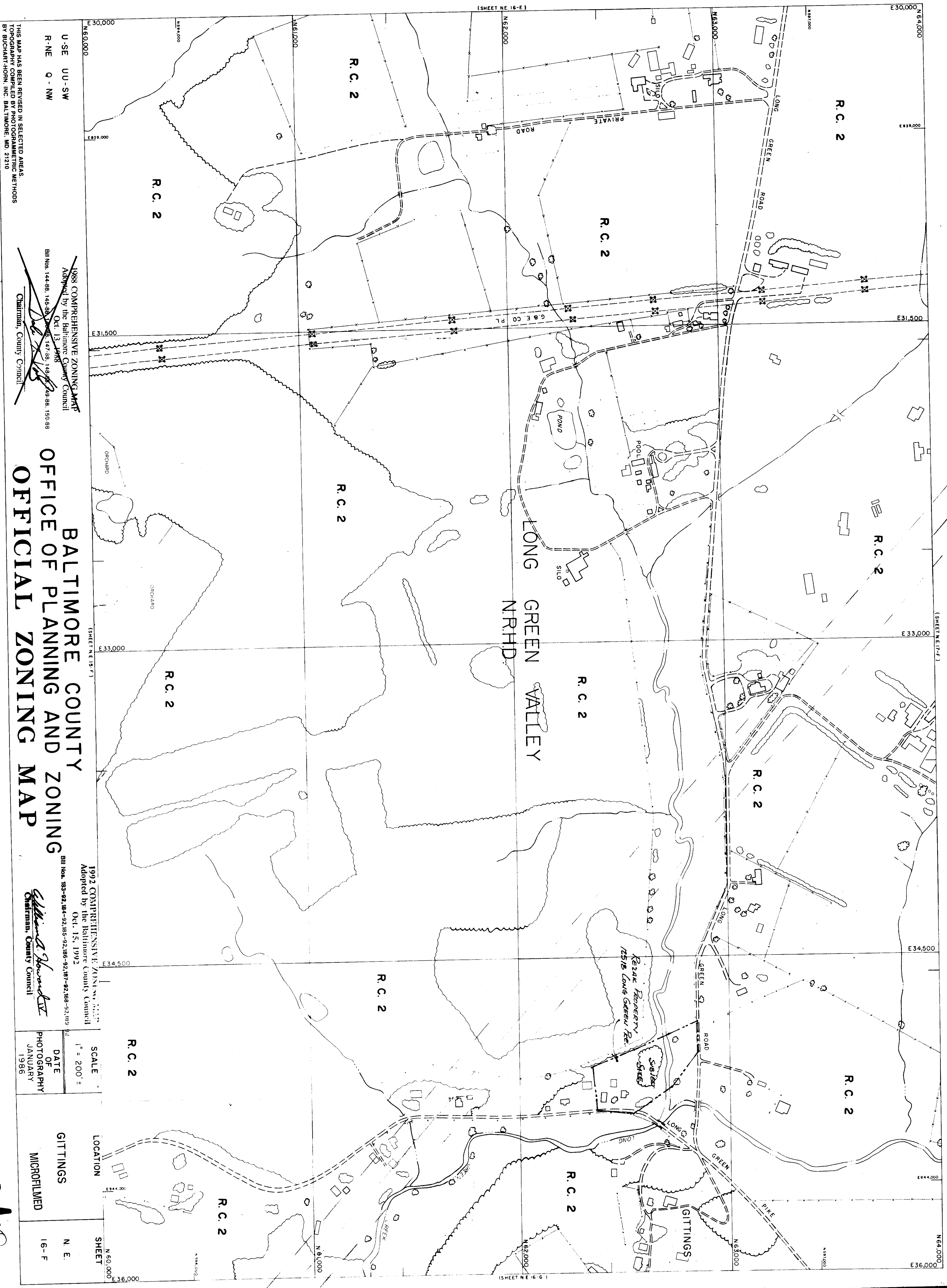


EXISTING 20X30 BARN
HEIGHT = 22' ABOVE GROUND

ELBERT J. & JOAN M. THORNHILL
TAX MAP 53 PARCEL 333
5027 / 182
1120031010



CALVERT R. BREGAL
TAX MAP 53 PARCEL 361
4875 / 550
1108068744



THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1988
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88
[Signature]
Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Bill Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92
[Signature]
Chairman, County Council

SCALE	1" = 200' ±
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	
GITTINGS	
MICROFILMED	
SHEET	N. E. 16-F

92-110-A



SHEET
N.E.
16-F

LOCATION
MICROFILMED
GITTINGS

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1966

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP